

CHAPTER 2 ROLES AND RESPONSIBILITIES

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CHAPTER 2 ROLES AND RESPONSIBILITIES

2.1 INTRODUCTION

Within Caltrans, the responsibility for administering and managing the federal and state local assistance highway programs resides in the Division of Local Assistance (DLA). This headquarters' office is under Planning and Modal Programs. Each of the twelve Caltrans districts has a District Local Assistance Engineer (DLAE) who is the local agency's primary contact for processing projects, providing assistance for local agency development efforts, and answering local agency questions. Please refer to Exhibit 2-A *Caltrans District Local Assistance Offices*, in this chapter for current district boundaries and mailing addresses.

The responsibility for implementing individual projects on the local streets, roads and other transportation systems resides with the local agencies, principally the cities and counties.

STATE FUNDED PROJECTS

State funded local assistance projects must be developed in accordance with policy and procedural requirements as specified in state law, by the California Transportation Commission (CTC), and Caltrans. These state policies and procedural requirements are separate from federal requirements. It is Caltrans' policy to provide these funds to local transportation programs with a minimum of state oversight. However, because procedures vary with each state funding program the *Local Assistance Program Guidelines* (LAPG) should be referenced for a detailed explanation of the roles and responsibilities.

FEDERAL-AID PROJECTS

The Federal Highway Administration (FHWA) is the federal agency most typically involved in the transportation projects undertaken with federal funding and /or approval action for the programs discussed in this manual. It has the authority and responsibility for implementing and monitoring federal laws, regulations and executive orders affecting these programs. When a project involves federal funding, the FHWA is involved according to these responsibilities and the delegations and stewardship agreements described below. When another federal agency has permit jurisdiction or other role in development of a project, the FHWA frequently becomes involved in the process as either lead or co-lead federal agency.

Caltrans obtained major delegations of authority and/or responsibility from FHWA as allowed under the provisions of the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 and previous Transportation Acts. With the recent reengineering of local assistance procedures, Caltrans has passed on these delegations to local agency partners to the greatest extent possible. With each delegation goes the accountability for initiating and completing each project phase in accordance with the appropriate state, and federal laws and regulations without extensive FHWA, or state oversight. Caltrans has the ultimate responsibility to ensure that locals are administering the federal-aid program in conformance with the applicable federal requirements.

Federal-aid projects must be included in the approved Federal Statewide Transportation Improvement Program (FSTIP). This inclusion must precede fund authorization for any activity for which federal-aid funds are being sought. The responsibility for selecting the program of projects for inclusion in the urbanized area Federal Transportation Improvement Program (FTIP) resides with the Metropolitan Planning Organizations (MPO). The County Transportation Commissions and Regional Transportation Planning Agencies (RTPA) have also a role in programming projects for the FSTIP and the state funded State Transportation Improvement Program (STIP). Their selections must be done in consultation with the state, cities, counties, and other transportation agencies within the area. The FTIPs are incorporated into the FSTIP. Caltrans works with the non-MPO local agencies to program projects in the FSTIP.

Exhibit 2-B, *Federal-Aid Local Assistance Responsibilities*, outlines the roles and responsibilities of the parties involved in local federal-aid transportation projects. The chapters in this manual provide the details for carrying out these responsibilities.

2.2 NATIONAL HIGHWAY SYSTEM

ISTEA established provisions for Congress to adopt a National Highway System (NHS) of 155,000 miles of major roads in the United States. The system is established to provide an interconnected system of principal arterials that serve major population centers, international border crossings, ports, airports, public transportation facilities, intermodal transportation facilities, other major travel destinations, meet national defense requirements, and serve interstate and interregional travel.

Until Congress made its official adoption, the NHS was defined as all principal arterials, including the Interstate System. On November 28, 1995, the President signed the legislation defining the NHS. The system includes all Interstate routes, a selection of urban and rural principal arterials, the defense strategic highway network and strategic highway connectors.

In California, about 180 miles of local agency principal arterials were selected to be a part of the NHS. Some procedures in this manual for projects on the NHS are different from those for projects not on the NHS (non-NHS). One of the early local agency determinations should be whether the project is on the NHS or not.

See LAPG, Chapter 3, *Federal-Aid Routes & Functional Classifications*, for further discussion and a listing of the local agency NHS routes.

2.3 STATE-AUTHORIZED PROJECTS

The Transportation Equity Act for the 21st Century (TEA 21) and an agreement between FHWA and Caltrans, allows Caltrans to assume Title 23 Oversight responsibility for non-Interstate NHS projects (including 3R projects [Resurfacing, Restoring, Rehabilitation]), all Interstate projects with a construction cost less than \$1 million, all Interstate 3R projects greater than \$1 million, and all non-NHS federal-aid highway projects including local streets and roads, and state highways (see Figure 2-1 in this chapter). The oversight responsibility and delegation of authority from FHWA to Caltrans for these projects referred to as State-Authorized projects is contained in a “Stewardship Agreement” between FHWA and Caltrans. For State-Authorized projects, Caltrans has been delegated both the pre-construction and construction-related responsibilities.

2.4 STEWARDSHIP - LETTERS OF AGREEMENT

For the purpose of determining FHWA's or Caltrans' responsibility for project approval and oversight, "3R" is defined broadly to allow maximum delegation of project approval and oversight to Caltrans/3R projects. The 3R project restores safe, efficient, travel on an existing facility, and/or extends the service life of highways, bridges, and related appurtenances. They are typically constructed within existing right of way, although minor acquisitions may be needed. Instead of trying to define all of the types of projects that could fall under the broad area of 3R, a determination was made to define the smaller area of reconstruction (for stewardship purpose only). To aid in the determination of the type of work, the following work will be considered reconstruction for stewardship purposes only:

- The addition of a lane (except climbing and auxiliary lanes)
- Significant change in horizontal and/or vertical alignment
- Reconstruction of an interchange by adding, moving, or relocating (widening ramps for storage or turning movements are not included)
- Replacement of entire bridge, or the major parts, of an existing bridge (in such a manner that it is equivalent to a new bridge)
- Seismic retrofit projects for the following:
 - 1) Major or unusual structure (major or unusual structures are defined by FAPG G 6012.1)¹
 - 2) In excess of \$5 million per structure (work will be considered to have a substantial effect on the structural capacity of the structure)
- Major modifications to Traffic Management Centers

If a project does not fall under at least one of the above areas and is not classified as "new" construction, the project will be treated as a 3R project for stewardship purposes.

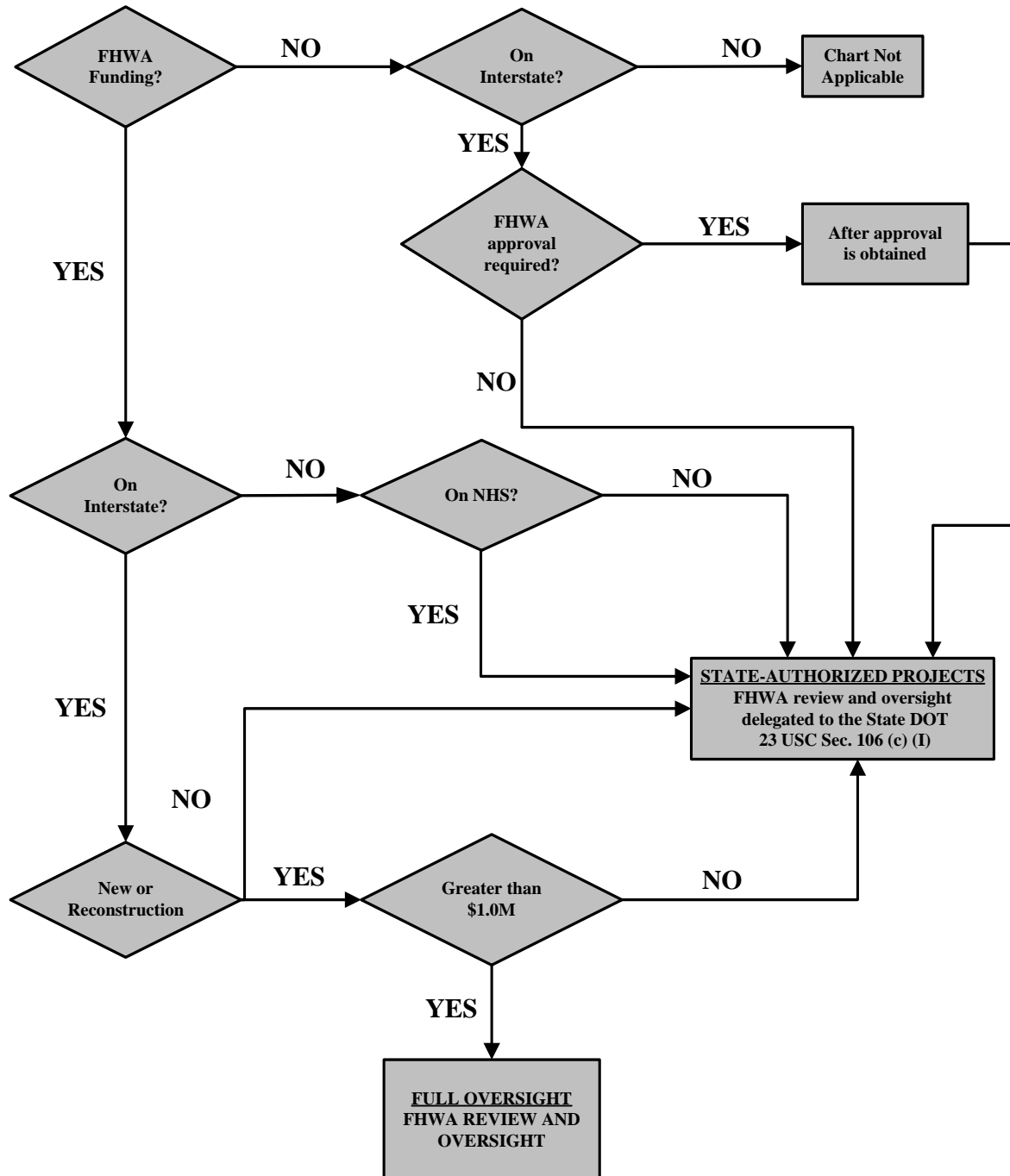
The initial cost determination will continue throughout the project development process unless there is a major change in estimated construction cost.

Since only a few local agency streets and roads are on the NHS, most local projects are State-Authorized and not subject to FHWA review and oversight. Projects on or impacting the Interstate system may require FHWA Full Oversight review depending on the cost and classification.

Chapter 2, Section 2.7 of the *Caltrans Project Development Procedures Manual* describes the FHWA role in more detail. You can view this manual at:
<http://www.dot.ca.gov/hq/oppd/pdpm/pdpmn.htm>

¹ See *Federal Aid Policy Guide* G6012.1 for detailed definitions or consult your DLAE and FHWA engineer.

Figure 2-1 FHWA Oversight



1- Examples of FHWA approval required would be Interstate Access request, NEPA, etc.

2.5 RIGHT OF WAY CERTIFICATION DELEGATION

In addition to the delegations discussed above, the FHWA has also approved Caltrans' request for delegation of right of way certificate approval for projects considered State-Authorized and not subject to FHWA oversight per the stewardship agreement. Procedures for processing local agency right of way certifications are described in Chapter 13, *Right of Way*, of this manual.

2.6 REENGINEERING OF LOCAL ASSISTANCE PROCEDURES

PROJECTS OFF THE NATIONAL HIGHWAY SYSTEM (NON-NHS)

Effective July 1, 1995, the reengineering of local assistance procedures gave local agencies additional responsibility and accountability for non-NHS projects. Many of the responsibilities delegated to Caltrans under the Stewardship and Letters of Agreement were further delegated to the local project sponsors. Caltrans' preliminary engineering, construction review and approval activities were reduced, other activities involving environmental reviews, project authorization, Disadvantaged Business Enterprises, consultant selection, and agreement procedures were streamlined to eliminate duplication of effort and multiple reviews.

PROJECTS ON THE NATIONAL HIGHWAY SYSTEM (NHS)

Effective with the publication of this manual, the delegation of responsibilities to local agencies described above for non-NHS projects also applies for NHS projects. With the following exceptions (discussed in detail in the appropriate chapters of this manual), procedures are the same for both types of projects.

FIELD REVIEWS

Caltrans will make the decision whether to hold a field review for major NHS projects and projects on the Interstate, which are subject to FHWA "Full Oversight." Generally, a field review will only be required for major projects (over \$10 million involving unusual structures, or projects on a corridor involving more than one agency). All projects on the Interstate and State Highway System (SHS) and NHS projects that are considered "major" will require the Plans, Specifications & Estimate (PS&E) and construction administration approvals described below.

PS&E PROCEDURES FOR MAJOR NHS PROJECTS

When Caltrans requires a field review for major NHS projects, PS&E procedures (standards, agencies involved, use of consultants, project management, specifications, etc.) will be discussed. These procedures will be put in writing for Caltrans' approval before final design is initiated. With approval, the local agency will then certify their PS&E(s) for these projects the same as they do for non-NHS projects upon completion of the PS&E. Caltrans may review the PS&E(s) if resources are available, or as part of a process review. NHS projects that are not on the Interstate, SHS, or considered "major" will not require this approval procedures.

DESIGN STANDARDS

Local agencies are required to use only American Association of State Highways and Transportation (AASHTO), 3R, and other design standards officially approved for use on NHS projects. Locally approved design standards are not allowed on NHS projects; however, Caltrans may approve exceptions on a project-by-project basis except on Interstate projects, which require FHWA approval.

METHOD OF CONSTRUCTION

Exceptions to competitive bidding of construction contracts must be approved by Caltrans or FHWA for Full Oversight projects.

RESTRICTED CONSTRUCTION CONTRACT PROVISIONS

Warranty clauses and the use of proprietary items are restricted on NHS projects.

CONSTRUCTION ADMINISTRATION FOR MAJOR NHS PROJECTS

When Caltrans requires a field review for major NHS projects, the local agency's construction administration procedures (staging, agencies involved, use of consultants, project management, quality assurance, etc.) will be discussed. These procedures will be put in writing for Caltrans' approval before the "Request for Authorization for Construction" is approved. Caltrans will not review the construction administration unless requested and resources are available, or as part of a process review.

QUALITY ASSURANCE PROGRAMS

Local agencies shall use the Quality Assurance Program described in this manual for projects on the NHS. Caltrans will be responsible for performing Independent Assurance Sampling and Testing (IAST).

FINAL INSPECTION

The FHWA will make a final inspection of completed Full Oversight projects prior to authorizing reimbursement of the final project voucher.

2.7 FHWA RESPONSIBILITIES

As discussed above, the FHWA has the overall authority and responsibility for implementing and monitoring federal laws, regulations and executive orders. For local agency projects that involve federal funding, the FHWA's responsibilities typically involve Project Implementation and Process Review activities. **Note: For any new/revised Interstate access (regardless of funding), FHWA review/approval is required along with their applicable environmental NEPA clearance.**

PROJECT IMPLEMENTATION

For all federal-aid projects, the FHWA is responsible for the following project implementation activities:

- Obligation of federal funds
- Approval of National Environmental Policy Act (NEPA) and other federally required environmental documents except for projects that qualify for Programmatic Categorical Exclusion (PCE)

For projects that are under FHWA “Full Oversight” per stewardship agreement, the FHWA is also responsible for the following activities:

- Authorization to Proceed
- Approval of additional access points on the Interstate
- Final Inspection

OVERSIGHT

Interstate - For Interstate projects on the NHS over \$1 million (except 3R projects), the FHWA has overall responsibility for ensuring compliance with all federal requirements.

For all other projects, FHWA responsibility for ensuring compliance with federal requirements is limited to non-Title 23 activities (environmental, right of way and civil rights).

Major Intelligent Transportation Systems (ITS) Projects (both NHS and non-NHS). An ITS project that implements part of a regional ITS initiative that is multi-jurisdictional, multi-modal, or otherwise affects regional integration of ITS systems.

The local agencies must submit a Systems Engineering Management Plan (SEMP) for all major ITS projects to FHWA for approval prior to authorization (E-76) for final design. See Chapter 12.6, *Intelligent Transportation Systems*, of the LAPG for details.

Minor ITS Projects - These ITS projects do not require System Engineering Review Form (SERF) or SEMP approval by Caltrans or FHWA. However, the SERF still must be filled out as part of the field review package. The procedures for minor ITS will follow the traditional 1- phased federal-aid Preliminary Engineering procedures.

Minor projects include:

- Legacy System Expansion – This includes expansion and/or upgrading of existing systems, which add no new capabilities or interfaces. For example, expansion of existing traffic signal systems with similar equipment and no new software. Another example would be purchase of additional buses using similar specifications as for existing vehicles.
- Commercial Off-The-Shelf (“COTS”) – Example: purchasing new electronic fare boxes that does not interface with other transit ITS packages and do not require any software development. COTS software is often customized for an installation, but only by selecting modules and/or setting parameters – not by writing software.
- Application Service Provider (“ASP”) – Example, contracting for off-site operations and maintenance of a pre-existing “next bus arrival” website, with no new interfaces and no software development. In essence, this involves leasing a pre-existing service rather than buying a product.

Projects that fit one or more of the above definitions are “minor” projects regardless of project cost. It should be recognized that, although there may be no “formal” Systems Engineering (SE) requirements or oversight for such minor projects (beyond filling out the SERF), good procurement practices should still ensure that the solicitation documents contain detailed system requirements and specifications, plus a thorough Acceptance Testing Plan. These items are elements of the SE process; hence, this is one example of scaling down the SE process to fit the needs of a small project.

While it is the FHWA's policy to rely primarily on their Program Review/Product Evaluation Program to carry out these responsibilities, other process review techniques, including project-specific activities may be used when appropriate.

2.8 CALTRANS RESPONSIBILITIES

Caltrans is responsible to the FHWA for administering the successful implementation of federal-aid programs and projects. Caltrans also administers the implementation of state funded programs and projects for the CTC and State Legislature.

These responsibilities are divided into three areas: Policy and Procedures, Program Management, and Project Implementation.

POLICY AND PROCEDURES

Caltrans establishes uniform policies and procedures to assist the local agencies in meeting the program requirements for their projects. Caltrans in collaboration with FHWA interprets federal and state laws, rules and regulations, and provides guidance in the form of manuals, guidebooks, handbooks, reference materials and service, and training to assist the agencies in planning, designing, constructing, and maintaining their transportation systems.

Caltrans' policy and procedure development are achieved in coordination and consultation with the FHWA, representatives of local agencies, MPOs, RTPAs, other affected agencies, and organizations.

PROGRAM MANAGEMENT

Each specific local assistance program provides funding which requires distribution, management, and oversight control to ensure that the funds are expended to meet the program goals and that allocations and budget authority are not exceeded. Caltrans distributes both state and federal fund allocations to the MPOs, RTPAs, cities, counties and others as specified by law.

Once the distributions are established, Caltrans provides program guidance for their expenditure. Some programs may require annual or periodic project application and selection to establish eligibility lists. Caltrans also monitors project implementation to ensure that the projects are implemented in a timely manner to achieve program goals. LAPG manual describes each current program.

PROJECT IMPLEMENTATION

Some major federal-aid project implementation steps delegated by the FHWA to Caltrans cannot be further delegated to the local agency level and remain Caltrans' responsibility. These include:

- Approval of Authorization to Proceed (E-76) for projects that are State-Authorized
- Preparation of agreements
- Decision to hold Field Review for NHS projects
- Approval of Local Agency DBE Program/Annual Anticipated DBE Participation Level
- Pre-award audit review of consultant contracts >\$250,000
- Approval of Utility Relocation Agreements involving federal reimbursement

- Approval of Specific Authorization for Utility Relocation involving federal reimbursement
- Independent Assurance Sampling and Testing (IAST) for NHS projects
- Approval of payments from the State Controller

The individual chapters covering these topics should be consulted for details concerning the responsibilities. Where the FHWA has not delegated final approval, Caltrans monitors local agency activities, reviews or prepares documents, and makes recommendations to FHWA. For example, Caltrans will review all environmental documents for completeness and sufficiency before submitting them to FHWA for approval.

Caltrans also provides assistance to the local agencies in interpreting the regulations, manuals and guidelines, as they apply to specific project conditions. The District Local Assistance Offices and Headquarters Division of Local Assistance personnel are available to aid the local agency through the required process and procedural steps.

Where expertise is not otherwise available, the local agency may also request assistance from Caltrans' technical specialists in solving special technical problems. Environmental issues, right of way concerns, hazardous wastes, labor compliance, equal employment opportunity, Title VI, and Disadvantage Business Enterprise are among these areas where assistance is available. The use of this expertise must be requested early and be well coordinated to assure that Caltrans' limited resources and personnel will be available when needed.

PROCESS REVIEWS

As outlined in Chapter 19 *Process Review*, of this manual, Caltrans will use the process review as the main method to determine if local agencies are in compliance with all federal-aid laws, regulations, and procedures. The process reviews will be used to evaluate all aspects (including Title 23 requirements) of the local agencies federal-aid program and to improve local assistance procedures.

MAINTENANCE REVIEWS

Annually, Caltrans reviews project maintenance for selected agencies using federal-aid funds so that every agency is covered during a four-year cycle. Chapter 18 *Maintenance*, in this manual describes these maintenance review procedures in detail.

2.9 CITY, COUNTY AND OTHER LOCAL PUBLIC AGENCY RESPONSIBILITIES

The cities, counties, joint power authorities, transit agencies and other public agencies have the primary responsibility for implementing the specific projects which carry out the programs described in this manual. Nonprofit entities may also qualify for this. For the purpose of this manual, these agencies/entities are commonly called local agencies.

PROJECT IMPLEMENTATION

The local agency is responsible for the conception, planning, programming, environmental investigation, design, right of way, construction and maintenance of the projects on their local transportation system. It must ensure that its staff members, consultants and contractors comply with the applicable state and federal laws, regulations and procedures in developing, and constructing its projects.

If a local agency has never implemented a federal-aid or state funded project, or does so infrequently; it should review the processes with the DLAE prior to beginning any implementation activity. It may wish to seek the administrative services of another agency, which is more familiar with the process and procedure details.

The local agency is delegated decision-making authority and responsibility for most design and construction-related activities of federal-aid projects. These include:

- Getting the project into the FSTIP
- Preparing the Request for Authorization for each project phase
- Decision to hold field review for projects off the NHS
- Determining/Approving project DBE Availability Advisory percentage
- Selecting consultant and approving consultant contracts
- Approving local design standards for projects off the NHS
- Approving design exceptions for projects “off” the NHS
- Preparing and Certifying PS&E (Caltrans must approve the local agencies’ PS&E procedures for most NHS projects and FHWA for Full Oversight NHS projects)
- Qualifying/selecting right of way consultants
- Certifying right of way
- Right of Way acquisitions and relocation
- Preparing and approving Quality Assurance Programs (non-NHS projects only)
- Advertising and awarding construction project
- Construction contract administration and inspection (Caltrans must approve the local agencies construction administration procedures for high cost, complex, corridor-type NHS projects)
- Construction contract acceptance (FHWA will make final inspection of projects that are Full Oversight)
- Coordinating railroad agreements
- Contract compliance

The individual chapters covering these topics should be consulted for details concerning the responsibilities.

2.10 CALIFORNIA TRANSPORTATION COMMISSION

The California Transportation Commission (CTC) has programming and fund allocation responsibility for some federal-aid and state funded programs used for local assistance projects. It is the responsibility of the local agency to notify the DLAE to request a CTC vote where applicable.

PROGRAMMING

The CTC selects projects for inclusion in the STIP for the following programs:

- Transportation Enhancements (TE) (Federal)
- Proposition 116 - Bicycle Program
- Environmental Enhancement and Mitigation (EEM) Program

FUND ALLOCATION

When a project is ready for implementation, the CTC must vote to allocate funding to the following programs. This action is commonly called the “**second vote**.”

- Transportation Enhancements (TE) (Federal)
- Proposition 116 - Bicycle Program
- EEM Program

2.11 METROPOLITAN PLANNING ORGANIZATIONS, REGIONAL TRANSPORTATION PLANNING AGENCIES AND COUNTY TRANSPORTATION COMMISSIONS

These organizations have broad transportation planning duties and responsibility for programming most projects using federal-aid or state allocations from the programs described in this manual.

These organizations are responsible for providing each local agency with their application rules, procedures and timelines. They are also responsible for providing the local agency with results of the decisions about its projects and the agency, CTC and federal approval dates.

The local agency must work closely with these organizations to ensure that its projects are placed in the appropriate TIP with the correct funds in the proper years. Federal funds and many state funds cannot be obtained without this programming step.

Chapter 4 of the *Caltrans Project Development Procedures Manual* discusses the programming process in more detail.

2.12 OTHER PUBLIC AGENCIES AND ORGANIZATIONS

Other federal, state, regional and local entities may have an interest, role or jurisdiction in the development and implementation of a local project. Examples at the federal level include the Environmental Protection Agency, the Corps of Engineers, or the National Forest Service. At the state level, examples include the Department of Fish and Game,

Air Resources Board, or the Office of State Historic Preservation. Regional agencies include the Air or Water Quality Control Boards or Flood Control Districts.

The State Resources Agency selects the projects to be funded by the CTC for the EEM program.

The role of these agencies will vary with the project scope, location and environmental impact. Coordination should begin early to prevent critical delays later in the project development.

Quasi-public or nonprofit organizations may apply for and receive programmed funds for some programs, notably EEM. These agencies must follow the same rules and regulations, which apply to any other local agency developing a state or federal-aid funded project. When such an agency does not have a full staff of administrative, engineering, contracting, or accounting personnel, Caltrans encourages it to work through a local agency that can provide these services and is familiar with the applicable rules.

CALTRANS DISTRICT LOCAL ASSISTANCE OFFICES

STATE OF CALIFORNIA
Business Transportation and Housing Agency
Department of Transportation

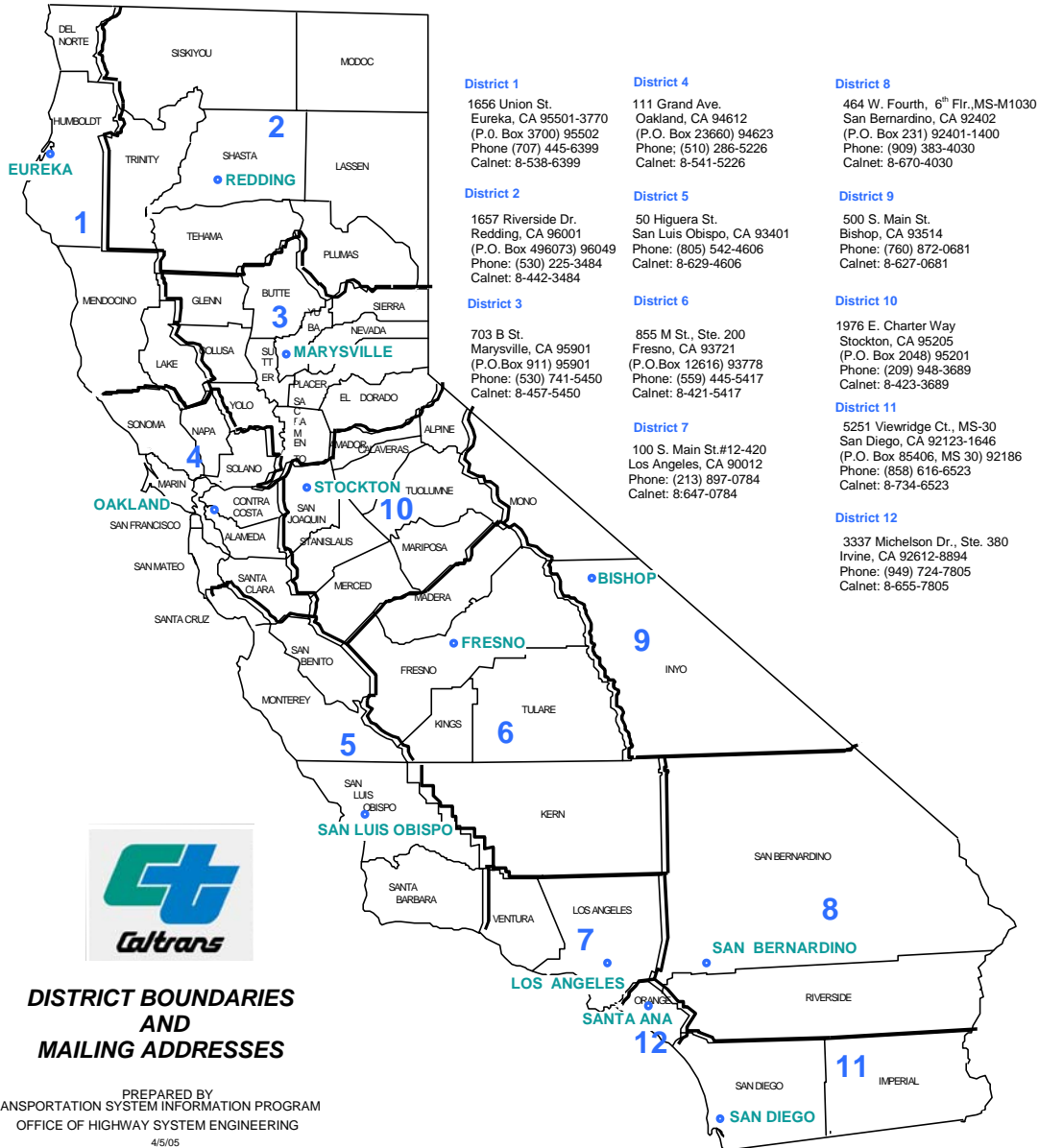


EXHIBIT 2-A CALTRANS DISTRICT LOCAL ASSISTANCE OFFICES

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EXHIBIT 2-B FEDERAL-AID LOCAL ASSISTANCE RESPONSIBILITIES			
ACTIVITY	Projects on the National Highway System (NHS) (Excluding Interstate ¹)	Projects not on the NHS	COMMENTS
	State-Authorized	State-Authorized	
Project Authorizations (Chapter 3)			
Prepare "Request for Authorization"	Local Agency	Local Agency	
Approve "Authorization to Proceed" (E-76) for each project phase	State	State	Authorization must precede any reimbursable activities.
Obligate Funds	FHWA	FHWA	
Agreements (Chapter 4)			
Prepare Agreements	State		
Execute Master Agreement/Program Supplements	Local Agency/State		
Invoices (Chapter 5)			
Prepare Invoices	Local Agency		
Approve Payment	State		
Environmental Procedures (Chapter 6)			
Conduct preliminary investigations and complete Preliminary Environmental Studies form (PES)	Local Agency		
Review and approve Programmatic CE (if applicable)	State		
Conduct and document appropriate technical studies and prepare NEPA document (CE, EA, EIS)	Local Agency		Complete PES and attend early coordination meeting before starting technical studies.
Review environmental documentation and NEPA document Approve Payment	State		
Approve/Process NEPA document and other required Federal environmental documentation	FHWA		

¹ Projects on or impacting the Interstate regardless of funding will require a project-by-project review by FHWA. For these and all projects on state highways, the local agency should coordinate closely with the DLAE and District Project Development Manager to insure that all required authorizations/obligations and other reviews and approvals are obtained in a timely manner and in accordance with state highway development procedures. Early consultation by Caltrans with FHWA will aid in coordination for necessary involvement and needed approvals, if any.

FEDERAL-AID LOCAL ASSISTANCE RESPONSIBILITIES			
ACTIVITY	Projects on the National Highway System (NHS) (Excluding Interstate ¹)	Projects not on the NHS	COMMENTS
	State-Authorized	State-Authorized	
Field Review (Chapter 7)			
Decision to hold Field Review	State (See Comments)	Local Agency	State required Field Reviews limited to high cost, complex, corridor-type NHS projects.
Prepare Field Review Form	Local Agency	Local Agency	
Attend/Sign Field Review Form	Local Agency, State and FHWA	Local Agency	State will (and FHWA may) attend all required NHS Field Reviews, and others when appropriate.
Public Hearings (Chapter 8)			
Decision on Type of Public Hearing	Local Agency		Formal or Open Forum
Approval to circulate EA/EIS	FHWA		Public hearings are held after the EA or Draft EIS has been approved.
Civil Rights & Disadvantaged Business Enterprises (Chapter 9)			
Provide Civil Rights Assurances	Local Agency (In Master Agreement and Program Supplements)		
Complaint Investigations/Contractor Compliance	Local Agency		May be assisted by State
Local Agency Compliance Reviews	State/FHWA		
Approve Local Agency DBE Annual Anticipated DBE Participation Level	State		
Determine/Approve Project DBE Availability Advisory Percentage	Local Agency		
Consultant Selection (Chapter 10)			
Select Consultant and approve contract	Local Agency		
Pre-award audit	State		Limited to Contracts >\$250,000

¹ Projects on or impacting the Interstate regardless of funding will require a project-by-project review by FHWA. For these and all projects on state highways, the local agency should coordinate closely with the DLAE and District Project Development Manager to ensure that all required authorizations/obligations and other reviews and approvals are obtained in a timely manner and in accordance with state highway development procedures. Early consultation by Caltrans with FHWA will aid in coordination for necessary involvement and needed approvals, if any.

FEDERAL-AID LOCAL ASSISTANCE RESPONSIBILITIES			
ACTIVITY	Projects on the National Highway System (NHS) (Excluding Interstate ¹)	Projects not on the NHS	COMMENTS
	State-Authorized	State-Authorized	
Design Standards (Chapter 11)			
Approve Local Design Standards	State	Local Agency	Local agencies shall use Caltrans, AASHTO, or 3R standards for projects on the NHS.
Approve Design Exceptions	State	Local Agency	
Plans, Specifications & Estimate (Chapter 12)			
Approve PS&E Procedures	State	Not required	State approval of PS&E procedures limited to major NHS projects
Approve Exceptions to Competitive Bid Contracts	State	Local agency	
Approve Incidental Force Account Work	State	Local Agency	
Approve use of Proprietary Items	State	Not Required	
Approve Warranty Clauses	State	Not Required	
Prepare and Certify PS&E	Local Agency	Local Agency	
Accept PS&E Certification	State	State	State approval of PS&E procedures required for major NHS projects before State will accept PS&E Certification
Right of Way (Chapter 13)			
Qualify Local Agencies	State	State	
Qualify/Select Consultants	Local Agency		

¹ Projects on or impacting the Interstate regardless of funding will require a project-by-project review by FHWA. For these and all projects on state highways, the local agency should coordinate closely with the DLAE and District Project Development Manager to ensure that all required authorizations/obligations and other reviews and approvals are obtained in a timely manner and in accordance with state highway development procedures. Early consultation by Caltrans with FHWA will aid in coordination for necessary involvement and needed approvals, if any.

EXHIBIT 2-B
Federal-Aid Local Assistance Responsibilities

Local Assistance Procedures Manual

FEDERAL-AID LOCAL ASSISTANCE RESPONSIBILITIES			
ACTIVITY	Projects on the National Highway System (NHS) (Excluding Interstate ¹)	Projects not on the NHS	COMMENTS
	State-Authorized	State-Authorized	
Right of Way (Chapter 13) -continued			
R/W Acquisition/Relocation Assistance	Qualified Local Agency/Consultants		
Certify R/W	Local Agency		
Accept R/W Certification	State		
Approve R/W Certification	N/A	N/A	
Utilities (Chapter 14)			
Approval of Utility Relocation Agreements involving Federal reimbursement	State	State	
Specific Authorization for Utility Relocation involving Federal reimbursement	State	State	
Utility Certification	Local Agency	Local Agency	See R/W Certifications
Advertise & Award Project (Chapter 15)			
Approve Local Agency Construction Administration Procedures	State	Not Required	State approval of procedures limited to major NHS projects.
Local Agency Construction Administration Certification	Local Agency	Local Agency	Not applicable for major NHS projects.
Accept Local Agency Construction Administration Certification	State	State	Not applicable for major NHS projects.
Advertise Project	Local Agency	Local Agency	Authorization to Proceed (E-76) required prior to advertisement

¹ Projects on or impacting the Interstate regardless of funding will require a project-by-project review by FHWA. For these and all projects on state highways, the local agency should coordinate closely with the DLAE and District Project Development Manager to ensure that all required authorizations/obligations and other reviews and approvals are obtained in a timely manner and in accordance with state highway development procedures. Early consultation by Caltrans with FHWA will aid in coordination for necessary involvement and needed approvals, if any.

FEDERAL-AID LOCAL ASSISTANCE RESPONSIBILITIES			
ACTIVITY	Projects on the National Highway System (NHS) (Excluding Interstate ¹)	Projects not on the NHS	COMMENTS
	State-Authorized	State-Authorized	
Advertise&Award Project (Chapter 15) -continued			
Award Project	Local Agency	Local Agency	
Prepare Award Package	Local Agency	Local Agency	Detail Estimate, Finance Letter, Award Checklist, <i>RE Checklist</i> , and Report of DBE Awards
Administer Construction Project (Chapter 16)			
Approve Local Quality Assurance Program	State	Local Agency	Local agencies are required to use Caltrans' approved QAP for projects on the NHS.
Contract Administration and Inspection	Local Agency	Local Agency	
Independent Assurance and Sampling Testing (IAST)	State	Local Agency	
Approve Contract Change Orders	Local Agency	Local Agency	
Project Completion (Chapter 17)			
Accept Contract	Local Agency	Local Agency	
Verify Completion	State	State	
Final Inspection	State/Local Agency	Local Agency	
Final Report of Expenditures	Local Agency	Local Agency	
Maintenance (Chapter 18)			
Maintain projects constructed with Federal-aid funds	State/Local Agency	Local Agency	
Maintenance monitoring	State	State	
Process Reviews (Chapter 19)			
Title 23 Activities	State/FHWA	State/FHWA	
Non-Title 23 Activities	FHWA/State	FHWA/State	NEPA, Uniform Act, etc.

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